

April 19, 2013

BY ELECTRONIC DELIVERY

Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street SW
Washington DC 20554

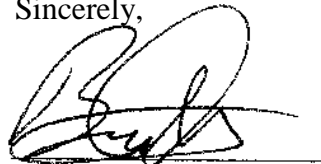
Re: Progeny LMS, LLC
Permitted Oral *Ex Parte* Presentation
WT Docket No. 11-49

Dear Ms. Dortch:

On April 17, 2013, the undersigned spoke briefly by telephone with Renee Gregory, Legal Advisor to Chairman Julius Genachowski. The undersigned emphasized that a decision on the compliance of Progeny LMS, LLC (“Progeny”) with Section 90.353(d) of the Commission’s rules is well within the delegated authority of the Commission’s Wireless Telecommunications Bureau and Office of Engineering and Technology. Further, given the substantial administrative burdens of the transition in leadership in two Commission offices, by far the most efficient manner in which to address Progeny’s compliance is through a Bureau decision. As Progeny noted in a recent letter, the Commission’s statutory authority to delegate matters to its Bureaus was always intended to promote administrative efficiency and prompt decision making.¹

Thank you for your attention to this matter. Please contact the undersigned if you have any questions.

Sincerely,



Bruce A. Olcott
Counsel to Progeny LMS, LLC

¹ See 47 U.S.C. § 155(c)(1).